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## FACSIMILE

Date February 18, 2004  
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## RECIPIENTS

Name	Location	Phone	Fax
U.S. Patent & Trademark Office	Office of Initial Patent Examination — Washington, D.C		(703) 746-4060

## FROM

Name	Greg Peterson	Number of Pages	10
Phone	(205) 521-8084	Includes cover page. If you do not receive all pages, please call (205)521-8395 as soon as possible.	
E-Mail	gpeterson@bradleyarant.com		
Fax	(205) 521-8000		

MESSAGE RE Patent Application #10/749,391

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/749,391	
	Filing Date	1/2/2004	
	First Named Inventor	R. Gary West	
	Art Unit	New Application	
	Examiner Name	New Application	
Total Number of Pages in This Submission	9	Attorney Docket Number	P3992US05TGP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fees Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Substitute Power of Attorney with assignment documents attached		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	T. Gregory Peterson, Reg.No. 45,587
Signature	
Date	February 18, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Bradley Arant**  
BRADLEY ARANT ROSE & WHITE LLP

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T. Gregory Peterson, Ph.D.

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gpeterson@bradleyarant.com

February 18, 2004

**VIA FACSIMILE**

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

**RE: Substitute Powers of Attorney for U.S. Patent Application No. 10/749,391**

Dear Sir:

Please find enclosed a copy of a Substitute Power of Attorney to be filed in the above referenced application. The Substitute Power of Attorney is signed by Gregory L. Doody, a representative of the HealthSouth Corporation, as the assignee of the above referenced application. The Substitute Power of Attorney appoints the attorney associated with customer number 23378 as attorneys of record in the above referenced application. Copies of the assignment documents for the relevant application are attached to the Substitute Power for the convenience of the Office.

Application no. 10/74,391 is entitled "Powered Gait Orthosis and Method of Utilizing Same," and was filed on 1/2/2004.

Please do not hesitate to contact me if you have any questions, or if you need additional information.

Sincerely,

T. Gregory Peterson, Ph.D.

TGP/tgp  
Enclosures

cc: Laural Alexander, Esq. (with enclosures)

BIRMINGHAM HUNTSVILLE JACKSON MONTGOMERY WASHINGTON, DC

Feb 18 2004 15:06 P.03

BRADLEY, ARANT, ROSE & WHITE LLP Fax: 205 521 8400

PAGE 3/10 : RCVD AT 2/18/2004 4:09:09 PM [Eastern Standard Time] : SVR:USPTO-EFAXRF-2/4 : DNS:7464060 : CSID:2055218400 : DURATION (mm:ss):02:47:20

Page 2

**CERTIFICATE OF EXPRESS MAILING**

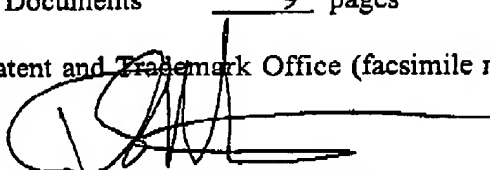
I hereby certify that the following items are enclosed:

- |    |                                    |          |       |
|----|------------------------------------|----------|-------|
| 1. | Cover Letter (including this page) | <u>2</u> | pages |
| 2. | Transmittal Form                   | <u>1</u> | page  |
| 3. | Substitute Power of Attorney       | <u>6</u> | pages |

TOTAL of 3 Documents 9 pages


and are being facsimile transmitted to the U.S. Patent and Trademark Office (facsimile number 703 746-4060) on February 18, 2004.

Date: February 18, 2004

  
\_\_\_\_\_  
T. Gregory Peterson  
Registration No. 45,587

**AUTHORIZATION TO CHARGE  
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If, after processing the enclosed correspondence, any charges, fees, or sums due remain unpaid in connection with this correspondence, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.

  
\_\_\_\_\_  
T. Gregory Peterson



In Patent Applications and Patents

**SUBSTITUTE POWER OF ATTORNEY**  
And Notification of New Correspondence Address

I, Gregory L. Doody, am the Interim Corporate Counsel and Secretary of HealthSouth Corporation, which is by assignment the owner of the entire right, title, and interest in and to the invention described and claimed in the patents and patent applications listed in the attached Schedule A.

In my capacity stated above, I am duly authorized to speak on behalf of HealthSouth Corporation with respect to all actions authorized by this document. On behalf of HealthSouth Corporation, I hereby REVOKE all previously appointed attorneys, and APPOINT the following attorneys to prosecute and transact all business in the Patent and Trademark Office connected with the patents and patent applications listed in Schedule A.

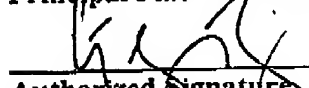
**ATTORNEYS APPOINTED:** All Registered Patent Practitioners whose Registration Numbers are associated with Customer Number 23378.

A copy of the Assignment and Recordal papers, including acknowledgment from the Patent Office of proper recording thereof, is attached to this paper for the convenience of the Office.

Send Correspondence to:	Customer Number 23378
Direct Telephone Calls to:	T. Greg Peterson, Reg. No. 45,587 (205) 521-8084
E-Mail Correspondence IS authorized to:	<u>gpeterson@bradelyarant.com</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so make are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Assignee: HealthSouth Corporation Citizenship: Delaware, USA  
Principal Place of Business: One HealthSouth Parkway, Birmingham, AL 35243

  
\_\_\_\_\_  
Authorized Signature

February 16, 2004  
\_\_\_\_\_  
Date

Printed Name of Signatory: Gregory L. Doody  
Position of Signatory: Interim Corporate Counsel and Secretary

**HEALTHSOUTH IP****SCHEDULE A**

<u>Country</u>	<u>Serial Numbers/ Registration Numbers Reel/Frame Numbers</u>	<u>Filed/ Registered</u>	<u>New Atty Docket</u>	<u>Title/Mark</u>
	<b>PATENTS</b>			
US	09/938,825 Pat.# Reel/Frame 02268/0681	8/27/2001	P3992US04TGP	Powered Gait Orthosis and Method of Utilizing Same
US	10/200,453 Reel/Frame 013338/0377	7/23/2002	P3992US02TGP	Improved Powered Gait Orthosis and Method of Utilizing Same
US	10/082,153	2/26/2002	P3992US03TGP	Body Support Harness
US	10/749,391 Reel/Frame 02268/0681	1/2/2004	P3992US05TGP	Powered Gait Orthosis and Method of Utilizing Same



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

JANUARY 03, 2002

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DYKEMA GOSSETT PLLC  
RICHARD H. TUSHIN, ESQ.  
FRANKLIN SQUARE, THIRD FLOOR WEST  
1300 I STREET, N.W.  
WASHINGTON, D.C. 20005-3353



\*101884049A\*

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NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.



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RECORDATION DATE: 10/18/2001

REEL/FRAME: 012268/0681  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WEST, R. GARY

DOC DATE: 10/10/2001

ASSIGNEE:


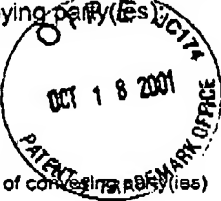
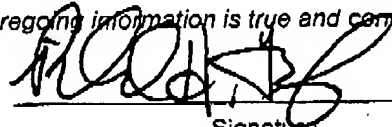
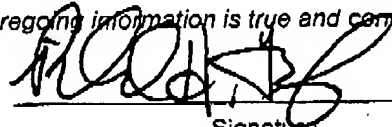
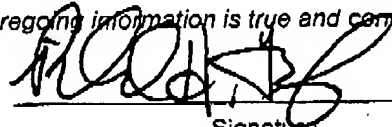
HEALTHSOUTH CORPORATION  
ONE HEALTHSOUTH PARKWAY  
BIRMINGHAM, ALABAMA 35243

SERIAL NUMBER: 09938825  
PATENT NUMBER:

FILING DATE: 08/27/2001  
ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



FORM PTO-1595 (Modified) (Rev. 03-01) DMB No. 0651-0027 (exp. 5/31/2002) POSA/REV03		<b>10-24-2001</b>  <b>101884049</b>		EET U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office							
Tab settings → → → ▼											
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.											
1. Name of conveying party(ies): <u>R. Gary WEST</u>  Additional names(s) of conveying party(ies) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies): Name: <u>HEALTHSOUTH CORPORATION</u> Address: <u>One Healthsouth Parkway</u> City: <u>Birmingham</u> State/Prov.: <u>AL</u> Country: <u>USA</u> ZIP: <u>35243</u> Additional name(s) & address(es) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>October 10, 2001</u>			4. Application number(s) or patent numbers(s): If this document is being filed together with a new application, the execution date of the application is: _____ <table style="width:100%;"> <tr> <td style="width:50%;">Patent Application No.</td> <td style="width:25%;">Filing date</td> <td style="width:25%;">B. Patent No.(s)</td> </tr> <tr> <td><u>09/938,825</u></td> <td><u>August 27, 2001</u></td> <td></td> </tr> </table> Additional numbers <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Patent Application No.	Filing date	B. Patent No.(s)	<u>09/938,825</u>	<u>August 27, 2001</u>	
Patent Application No.	Filing date	B. Patent No.(s)									
<u>09/938,825</u>	<u>August 27, 2001</u>										
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Richard H. Tushin, Esq.</u> Registration No. <u>27,297</u> Address: <u>DYKEMA GOSSETT PLLC</u> <u>Franklin Square, Third Floor West</u> <u>1300 I Street, N.W.</u> City: <u>Washington</u> State/Prov.: <u>D.C.</u> Country: <u>USA</u> ZIP: <u>20005-3353</u>			6. Total number of applications and patents involved: <span style="border: 1px solid black; padding: 2px;">1</span> 7. Total fee (37 CFR 3.41):.....\$ <u>40.00</u> <input type="checkbox"/> Enclosed - Any excess or insufficiency should be credited or debited to deposit account <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>04-2223</u> (Attach duplicate copy of this page if paying by deposit account)								
DO NOT USE THIS SPACE											
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <table style="width:100%;"> <tr> <td style="width:40%;"><u>Richard H. Tushin</u></td> <td style="width:30%; text-align: center;"></td> <td style="width:30%; text-align: right;">October 17, 2001</td> </tr> <tr> <td style="text-align: center;">Name of Person Signing</td> <td style="text-align: center;">Signature</td> <td style="text-align: center;">Date</td> </tr> </table>						<u>Richard H. Tushin</u>		October 17, 2001	Name of Person Signing	Signature	Date
<u>Richard H. Tushin</u>		October 17, 2001									
Name of Person Signing	Signature	Date									

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SOLE

Atty. Dkt. 66114-043-7

ASSIGNMENT OF PATENT APPLICATION



WHEREAS I, R. Gary WEST, of 2621 Red Bud Lane, Birmingham, Alabama 35243, have made a certain new and useful invention as set forth in an application for United States Letters Patent for an invention entitled POWERED GAIT ORTHOSIS AND METHOD OF UTILIZING SAME, and executed by me on \_\_\_\_\_, Serial No. 09/938,825, filed August 27, 2001;

AND WHEREAS HEALTHSOUTH CORPORATION, of One Healthsouth Parkway, Birmingham, AL 35243, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States which may be obtained therefor;

NOW, THEREFORE, for \$10.00 and other good and valuable consideration in hand, receipt of which is hereby acknowledged, I do hereby sell, assign, transfer and set over unto HEALTHSOUTH CORPORATION, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-identified application, and in and to any and all patents of the United States which may be issued for said invention;

I request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said HEALTHSOUTH CORPORATION, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby;

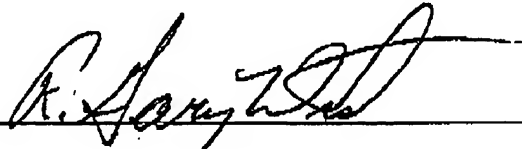
I hereby covenant that I have full right to convey the entire interest herein assigned and have not executed, and will not execute, any agreement in conflict herewith, and I also agree to execute all papers in connection with the application and any continuing or divisional applications thereof and in connection with any interference which may be declared involving this application or any continuing or divisional application thereof;

AND I hereby grant the firm of DYKEMA GOSSETT PLLC the power to insert on this Assignment any further identification which may be necessary or desirable to comply with the rules of the United States Patent and Trademark Office for recordation of this Assignment.

Date:

10/10/01

Inventor: R. Gary WEST



WITNESS:

(1)

Michael D. H. M. / LCO

10/10/01

Date:

ID 42398